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a case*  
~~11. A stent comprising a generally thin walled structure containing a plurality of struts, the struts expandable to assume the shape of a lumen into which the stent is emplaced, said struts having a thickness, and a channel formed in at least one of said struts, said channel having a closed perimeter on all sides and an open top, and said channel smaller in all dimensions than said strut, said channel containing a therapeutic agent applied therein. --~~

Please cancel claims 1-3.

REMARKS

Claims 4-11 remain herein. Claims 1-3 have been canceled. The Examiner should find enclosed an Information Disclosure Statement citing all of the art cited to in the specification of the current application, as well as some other patents which may have some relevance to the current application.

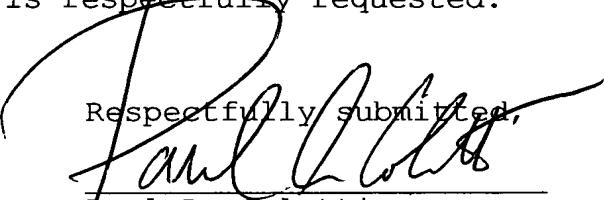
The Examiner had objected to the specification in that a heading "Detailed Description" should be added to the specification. The Examiner's attention is directed to page 8, line 27 where this heading is inserted. If the Examiner has further corrections, she is requested to contact the Applicant's attorney.

Claims 1 and 2 were rejected under 35 U.S.C. § 103. Claim 3 was rejected under 35 U.S.C. § 102. The various cited references were Mische, U.S. Patent No. 5,792,106, Orth et al., U.S. Patent No. 5,591,197 and Tuch, U.S. Patent No. 5,624,411.

With the present amendment, none of these references are applicable.

Specifically, none of the references described a channel formed with its perimeter contained entirely within a strut. If anything, Orth describes a "weakened area" 24 to enable bending. Mische describes perforations 64 in the balloon, and not on the stent. And, Tuch describes a generally therapeutic delivering stent. So, none of the references disclosed herein describe the strut as claimed. Accordingly, none of the references are applicable under §102 of the patent statute.

Moreover, because none of the references describes a channel specifically created to deliver therapeutic agent, it is believed that none of the references rises to the level of an applicable 35 U.S.C. § 103 reference. Accordingly, allowance of the current claims 4 through 11 is respectfully requested.

Respectfully submitted,  
  
Paul A. Coletti  
Attorney for Applicant(s)  
Reg. No. 32,019

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2815  
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